

REMARKS

Status of the Specification

The Specification has been amended to recite SEQ ID NOs, support for which is found in the Sequence Listing and Figures.

No new matter has been added.

Status of the Claims

Claims 65, 67 and 68 have been amended to recite SEQ ID NOs, support for which may be found in the Sequence Listing and Figures.

No new matter has been added.

1. Objection to the Specification and Claims

The Examiner has objected to the Specification and claims for failing to recite sequence identifiers. Applicants have amended the Specification and claims to recite the appropriate SEQ ID NOs, thereby obviating the objections.

2. The Restriction Requirement

The Examiner alleges that the application contains four (4) inventions which are not so linked as to form a single general inventive concept under PCT rule 13.1. The Examiner has defined the inventions as follows:

Group I, claims 65-66 and 68-80, drawn to a method of reducing or preventing flowering in a plant comprising expressing a polynucleotide comprising a nucleotide sequence that encodes a polypeptide shown in Figure 4, or a nucleotide sequence comprising the coding sequence shown in Figure 2 or Figure 3, or a fragment thereof.

Group II, claims 67-72, drawn to a method of reducing or preventing flowering in a plant comprising expressing a polynucleotide comprising a nucleotide sequence of bases -3600 to 1624, bases -3600 to 1242, bases 1 to 1642 and bases 1242 of Figure 3.

Group III, claims 81-84, drawn to a method of inducing early flowering in a plant comprising expressing a polynucleotide complementary to a mRNA encoded by a polypeptide as defined in claim 65.

Group IV, claim 85, drawn to a use of a polynucleotide.

The Examiner contends that Groups I-IV do not relate to a single general inventive concept and are not linked by a single technical feature under PCT rule 13.1. The Examiner's detailed reasoning for imposing this rejection is found on pages 3-4 of the Office Action, and is not reproduced here. Applicants disagree with the Examiner's reasoning and respectfully traverse.

Applicants point that a search for the polynucleotides of the invention is common to the patentability review of all four claim Groups. Applicants further point out that the searches for a polynucleotide sequence and the polypeptides encoded by it significantly overlap. Given this overlap, Applicants submit that examining the claims of Groups I-IV in a single application imposes no undue search burden on the Examiner. Applicants therefore request rejoinder of all of the claims.

At the very least, Applicants respectfully request rejoinder of the claims of Groups I and II, all drawn to a method of reducing or preventing flowering in a plant by expressing the polynucleotides of the invention that encode the polypeptide of the invention.

In order to be fully compliant with the Restriction Requirement, Applicants elect, with traverse, the claims of Group I.

3. Conclusion

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance, and request early action and allowance of the claims.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson (Reg. No. 30,330) at the telephone number of (858) 792-8855, to conduct an interview in an effort to expedite prosecution in connection with the present application. Facsimile communications may be sent to the facsimile number of (858) 792-3785.

App. No. 10/507,355
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: May 23, 2007

Respectfully submitted,

By 

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